



UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/862,973	05/22/2001	John H. Westerbeke JR.	00637-025001

CONFIRMATION NO. 9803

FORMALITIES LETTER



\*OC00000006318426\*

JAMES W. BABINEAU  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

Date Mailed: 07/19/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

09/20/2001 MWOLDER1 00000002 09862973

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*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No.: 00637-025001

sector 55

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John H. Westerbeke

Art Unit : 3747

Serial No. : 09/862,973

Examiner : Unknown

Filed : May 22, 2001

Title : CONTROLLING EXHAUST TEMPERATURES

**BOX MISSING PARTS**

Commissioner for Patents

Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed July 19, 2001 (copy enclosed), applicant as a small entity submits herewith the following:

- Check in payment of \$65 surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application;
- Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63; and
- Other: Transmittal of Formal Drawings.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

September 13, 2001

Date of Deposit

Amy Armitage

Signature

Amy V. Armitage

Typed or Printed Name of Person Signing Certificate

Applicant : John H. Westerbeke  
Serial No. : 09/862,973  
Filed : May 22, 2001  
Page : 2

Attorney Docket No.: 00637-025001

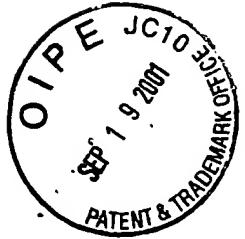
Respectfully submitted,

Date: September 12, 2001

  
\_\_\_\_\_  
James W. Babineau  
Reg. No. 42,276

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

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Attorney Docket No.: 00637-025001

*HG*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John H. Westerbeke  
Serial No. : 09/862,973  
Filed : May 22, 2001

Art Unit : 3747  
Examiner : Unknown  
Batch No. : Unknown

Title : CONTROLLING EXHAUST TEMPERATURES

**Attention: Official Draftsman**  
Commissioner for Patents  
Washington, D.C. 20231

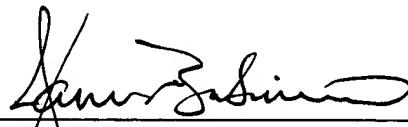
TRANSMITTAL OF FORMAL DRAWINGS

In response to the Notice to File Missing Parts mailed July 19, 2001, please substitute the enclosed six (6) sheets of formal drawings for the corresponding drawings presently in the application.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 12, 2001

  
\_\_\_\_\_  
James W. Babineau  
Reg. No. 42,276

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Boston, Massachusetts 02110-2804  
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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

September 13, 2001  
\_\_\_\_\_  
Date of Deposit  
Amy Armitage  
\_\_\_\_\_  
Signature  
Amy V. Armitage  
\_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate

PATENT 00637-025001  
ATTORNEY DOCKET NO.: \_\_\_\_\_

The Patent and Trademark Office date stamp sets forth the date of receipt of:

Applicant or Patentee John H. Westerbeke

No. (Application, Appeal, Interference, Patent, Reexam) 09/862,973

Filing or Issue Date May 22, 2001

Title: CONTROLLING EXHAUST TEMPERATURES

Transmittal Letter (2 Copies)  With Pet. for Ext.  
 Assignment  Status Inquiry  
 ~~Amendment~~ Response 2 Pages  Declaration  
 Maintenance Fee  Request Certificate of Correction  
 Check \$ 65  Notice of Appeal  
 Deposit Account Order Form (2 Copies)  Appeal Brief (3 Copies) \_\_\_\_\_ Pages  
 Issue Fee  Request Patent Copies  Petition for Extension Time  
 Information Disclosure Statement  
     PTO 1449 Form- \_\_\_\_\_ Pages  
     Prior Art References-Number of References \_\_\_\_\_  
 Drawings 6 Sheets Formal \_\_\_\_\_ Sheets Informal \_\_\_\_\_ Sheets Amended \_\_\_\_\_  
 Notice of Missing Parts  
 Combined Declaration and Power of Attorney  
 Small Entity Statement  
 Other Transmittal of Formal Drawings

Atty/Sec JWB/ava Client/ \_\_\_\_\_  
Initials \_\_\_\_\_ Matter Name Westerbeke/Jacketed Date 09/13/01  
Manifold CIP

